

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 1337 - HB 1547

March 27, 2021

SUMMARY OF BILL: Prohibits the Department of Children's Services (DCS) from requiring an individual or members of an individual's household to undergo an immunization as a condition of adopting a child or overseeing a child in foster care if the individual provides to DCS written notice that the individual objects to the immunization on religious grounds, or written certification from a physician that the immunization is or may be detrimental to the individual's health.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Passage of the proposed legislation could jeopardize a portion or all of recurring federal Title IV-E funding.

Assumptions:

- Based on information provided by DCS, the proposed legislation is not expected to increase state expenditures for the Department; any fiscal impact is estimated to be not significant.
- DCS adheres to the national model foster family home licensing standards provided by the federal Administration for Children and Families (ACF), which is the agency governing compliance of federal Title IV-E funds.
- ACF guidelines require:
 - All children who are household members be up to date on immunizations consistent with the recommendations of the American Academy of Pediatrics (AAP), the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention (ACIP), and the American Academy of Family Physicians (AAFP), unless the immunization is contrary to the child's health as documented by a licensed health care professional;
 - All household members who will be caregivers of infants have an up-to-date whooping cough vaccine consistent with the recommendations of the ACIP, unless the immunization is contrary to the individual's health as documented by a licensed health care professional; and
 - All household members who will be caregivers of infants and children with special medical needs have an up-to-date annual influenza vaccine consistent with the recommendations of the ACIP, unless the immunization is contrary to the individual's health as documented by a licensed health care professional.'

- As a result, DCS has a policy of not placing children under the age of five with any foster family whose members object to federally required immunizations.
- Pursuant to § 471(a)(36) of the Family First Prevention Services Act, by April 1, 2019, Title IV-E agencies are required to provide the U.S. Department of Health and Human Services (DHHS) information about whether the state's licensing standards are consistent with the model licensing standards identified by DHHS and if not, provide specific and detailed information regarding the reason for the deviation.
- Passage of the proposed legislation could jeopardize a portion or all of the recurring federal Title IV-E funding of approximately \$8,398,300 if DCS is found to be out of compliance with federal standards regarding vaccination requirements for foster families.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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